

**UNITED STATES DISTRICT COURT**  
for the

Southern District of Georgia

FILED  
U.S. DISTRICT COURT  
ATLANTA DIV.

2008 MAR -4 AM 11:39

United States of America )  
v. )  
Stephen Patrick Bailey )  
Date of Previous Judgment: April 20, 2000 )  
(Use Date of Last Amended Judgment if Applicable) )

) Case No: CR198-00058-002  
USM No: 59008-004  
Larry R. Handfield and Nathaniel Haugabrook, II  
Defendant's Attorneys

CLERK B. McCarthy  
SO. DIST. OF GA

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 120 months is reduced to time served.

**I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)**

Previous Offense Level:	<u>33</u>	Amended Offense Level:	<u>31</u>
Criminal History Category:	<u>I</u>	Criminal History Category:	<u>I</u>
Previous Guideline Range:	<u>135</u> to <u>168</u> months	Amended Guideline Range:	<u>108</u> to <u>135</u> months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain): \_\_\_\_\_

**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated April 20, 2000 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: March 4, 2008

Effective Date: March 14, 2008  
(if different from order date)

\_\_\_\_\_  
Judge's signature

Dudley H. Bowen, Jr.  
United States District Judge

Printed name and title